IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 9TH APRIL 2007 / 19TH CHAITHRA 1929

WP(C).No. 12040 of 2007(G)

PETITIONER:

K.P.MUKUNDAN,PROPRIETOR,M/S.SREE GURUVAYOORAPPAN AGENCIES,I.B.P INDIAN OIL CORPORATION DEALER,SREE GURUVAYURAPPAN AGENCIES, P.O OORAKAM,THRISSUR.

BY ADV. SRI.M.P.ASHOK KUMAR

RESPONDENTS:

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1. SANKARAN V.K,S/O.KOCHUKUTTAN,VADAKEDATH HOUSE,VALLACHIRA DESOM,VALLACHIRA VILLAGE, THRISSUR DISTRICT.

2. THE DEPUTY LABOUR COMMISSIONER, AUTHORITY APPOINTED UNDER MINIMUM WAGES ACT, REVENUE DISTRICT OF THRISSUR.

BY GOVERNMENT PLEADER SRI. I.V. PROMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 09/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO. 12040 OF 2007

DATED THIS THE 9th DAY OF APRIL, 2007

JUDGMENT

The petitioner is challenging Ext.P1 order passed by the Deputy Labour Commissioner, Thrissur – the authority appointed under Minimum Wages Act,1948 for the Revenue District of Thrissur in M.W.A.7/97 in which the authority directed the petitioner to pay arrears of wages etc., to the 1st respondent. The petitioner submits that the 1st respondent is not an employee coming within the purview of the Minimum Wages Act and therefore Ext.P1 order is without jurisdiction.

2. I have heard the learned counsel for the petitioner and I see that Ext.P1 order was passed as early as on 31.12.05. The petitioner has not even attempted to explain the long delay of more than one year and three months in approaching this Court challenging Ext.P1.

That being so, the writ petition suffers from the vice of unexplained delay and latches and is liable to dismissed on that ground alone and I do so.

S. SIRI JAGAN, JUDGE

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